HIGH COURT OF UTTARANCHAL AT NAINITAL

Bail Application No. 1202 of 2006

CRIMINAL SIDE

Mohd. Ikram @ Lalu s/o Sri Mohd. Iqbal
Line No. 16, Azadnagar, Haldwani, District Nainital
.....Accused/Applicant

Versus

State of Uttaranchal ..... Opposite Party

Case Crime No. 1728 of 2006
Under Sections 18/20 N.D.P.S. Act, P.S. Kathgodam, District Nainital.

Dated: 19.12. 2006

By the Court

Hon'ble Rajesh Tandon, J.

Heard Sri Lalit Sharma, Advocate for applicant and the A.G.A. for the prosecution.

The applicant has applied for bail in case crime No. 1728 of 2006, for the offences punishable Under Sections 18/20 N.D.P.S. Act, P.S. Kathgodam, District Nainital..

According to the prosecution case 300 grm. Charas was recovered from the possession of the applicant by the Police on 28.11.2006 F.I.R. to this effect was lodged in P.S. Kathgodam on the same day.

Counsel for the applicant has submitted that the police has not made compliance of the provisions of Section 50 of the N.D.P.S. Act. The recovered contravened article has not been weighed by the police and roughly it was shown to be 300 grm. This quantity of charas is less than commercial quantity.

Without expressing anything on the merit of the case, I am of the opinion that it is a fit case for bail.

Let the accused applicant be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 19.12.2006
*Dhyani